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I hereby certify that the below-identified Amendment and Response to Office Action is being deposited as First Class Mail on this date with the United States Postal Service in an envelope addressed to Box AMENDMENT-FEE, Assistant Commissioner for Patents, Washington D.C. 20231-0001.

Date: January 22, 2001

By: Jayce R. Simpson

Signature of Person Depositing as First Class Mail



IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE

PATENT

Applicant: Ioan Cosmescu

Docket No.: 30359.0417

Serial No.: 09/192,887

Examiner: D. Cho

Filing Date November 16, 1998

Art Unit: 3761

Title: AUTOMATIC FLUID CONTROL SYSTEM  
FOR USE IN OPEN AND LAPAROSCOPIC  
LASER SURGERY AND ELECTROSURGERY  
AND METHOD THEREFOR

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AMENDMENT AND RESPONSE TO OFFICE ACTION

Box AMENDMENT-FEE  
Assistant Commissioner for Patents  
Washington, D.C. 20231-0001

Dear Sir:

In Response to the Examiner's Office Action dated September 22, 2000, the period of response for which is hereby extended by one month to January 22, 2001, please amend the above-identified application as follows:

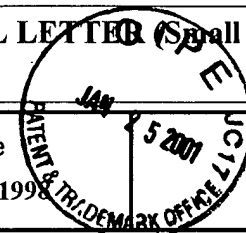

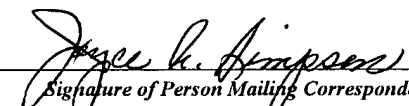
In the Claims:

Please cancel claims 1-21 without disclaimer or prejudice.

Please add the following new claims 50-75:

50. (NEW) ~~A manual fluid control system for surgical lasers and electrosurgery~~  
apparatus, for both open and laparoscopic procedures, comprising, in combination:  
at least one fluid irrigation container;

3761

|   |                                     |   |  |                          |                   |
|---|-------------------------------------|---|--|--------------------------|-------------------|
| <b>AMENDMENT TRANSMITTAL LETTER (Small Entity)</b>  |                                     |   |  | Docket No.<br>30359.0417 |                   |
| Applicant(s): Ioan Cosmescu   |                                     |   |  |                          |                   |
| Serial No.<br>09/192,887  | Filing Date<br>November 16, 1998    |  | Examiner<br>D. Cho   | Group Art Unit<br>3761   |                   |
| Invention: <b>AUTOMATIC FLUID CONTROL SYSTEM FOR USE IN OPEN AND LAPAROSCOPIC LASER SURGERY AND ELECTROSURGERY AND METHOD THEREFOR</b>  |                                     |   |  |                          |                   |
| <u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u>   |                                     |   |  |                          |                   |
| Transmitted herewith is an amendment in the above-identified application.   |                                     |   |  |                          |                   |
| <input checked="" type="checkbox"/> Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.<br><input type="checkbox"/> A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.  |                                     |   |  |                          |                   |
| The fee has been calculated and is transmitted as shown below.  |                                     |   |  |                          |                   |
| <b>CLAIMS AS AMENDED</b>  |                                     |   |  |                          |                   |
|   | CLAIMS REMAINING<br>AFTER AMENDMENT | HIGHEST #<br>PREV. PAID FOR   | NUMBER EXTRA<br>CLAIMS PRESENT   | RATE                     | ADDITIONAL<br>FEE |
| TOTAL CLAIMS  | 48 -                                | 20 =  | 28 x   | \$9.00                   | \$252.00          |
| INDEP. CLAIMS   | 7 -                                 | 3 =   | 4 x  | \$40.00                  | \$160.00          |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/>  |                                     |   |  |                          | \$0.00            |
| <b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>  |                                     |   |  |                          | <b>\$412.00</b>   |
| <input type="checkbox"/> No additional fee is required for amendment.<br><input checked="" type="checkbox"/> Please charge Deposit Account No. <b>19-2814</b> in the amount of <b>\$412.00</b><br>A duplicate copy of this sheet is enclosed.<br><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.<br><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <b>19-2814</b><br>A duplicate copy of this sheet is enclosed.<br><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.<br><input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. |                                     |   |  |                          |                   |
| <br>Laura J. Zeman (Reg. No. 36,078)<br><b>SNELL &amp; WILMER, L.L.P.</b><br><b>One Arizona Center</b><br><b>400 East Van Buren</b><br><b>Phoenix, Arizona 85004-2202</b><br><b>Telephone: (602) 382-6377</b><br><b>Facsimile: (602) 382-6070</b>  |                                     |   | Dated: <b>January 22, 2001</b>   |                          |                   |
| cc:   |                                     |   | <div style="border: 1px solid black; padding: 5px;">         I certify that this document and fee is being deposited on <b>January 22, 2001</b> with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.<br/> <br/>         Signature of Person Mailing Correspondence<br/> <b>Joyce A. Simpson</b><br/>         Typed or Printed Name of Person Mailing Correspondence       </div> |                          |                   |